

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL NO. 5:05CV210-V**

BEAR HOLLOW, LLC, et. al.,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
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MOBERK, LLC, et. al.,)	
)	
Defendants.)	
)	
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ORDER

THIS MATTER is before the Court after receiving notice that there is a disagreement between the parties' counsel as to whether Plaintiff's counsel consented to an extension of Defendant Theodore Berk's time to respond to the Plaintiff's Motion to Quash and Motion for Protective Order to August 7 or August 17, 2006.

Chambers' staff has spoken telephonically with the parties' counsel who now agree that the deadline should be extended only to August 7, 2006.

Accordingly, the August 1, 2006 "Order" (document #53) extending the deadline to August 17, 2006 is **STRICKEN**. As modified by counsel, Defendant Berk's "Motion to Enlarge Time to File Responsive Memorandum to ... Motion to Quash ... and Motion for Protective Order ..." (document #51) is **GRANTED** and the Defendant shall have until August 7, 2006 to file his Responsive brief.

The Clerk is directed to send copies of this Order to counsel for the parties.

Signed: August 2, 2006

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

